

Dkt. 2690/68556-B/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 27 2004
TECH CENTER 1600/2000

Applicants: Jason D. Bannan and John E. Zabriskie
U.S. Serial No.: 09/335,581 Examiner: Ja-Na Hines
Filed: June 18, 1999 Group Art Unit: 1645
For: PEPTIDES USEFUL FOR REDUCING SYMPTOMS OF
TOXIC SHOCK SYNDROME AND SEPTIC SHOCK

1185 Ave of the Americas
New York, New York 10036
May 18, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT IN RESPONSE TO NOVEMBER 18, 2003 OFFICE ACTION AND
PETITION FOR THREE MONTH EXTENSION OF TIME

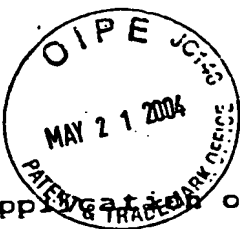
This Amendment is submitted in response to a November 18, 2003 Office Action issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to the November 18, 2003 Office Action was due February 18, 2004. Applicants hereby petition for a three month extension of time to respond. The fee for a three month extension of time is NINE HUNDRED AND FIFTY DOLLARS (\$950.00), and a check for this amount is enclosed. With a three month extension of time a response is now due May 18, 2004. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows:

05/24/2004 JBALINAH 00000001 09335581

01 FC:1253

950.00 OP



Docket No. 2690/68556-B/JPW/BJA

1645

41

In re application of: Jason D. Bannan and John E. Zabriskie

Serial No.: 09/335,581

Examiner: Ja-Na Hines

MAY 27 2004

Filed: June 18, 1999

Group Art Unit: 1645

TECH CENTER 1600/2800

For: PEPTIDES USEFUL FOR REDUCING SYMPTOMS OF TOXIC SHOCK SYNDROME AND SEPTIC SHOCK

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

May 18, 2004

S I R:

Transmitted herewith is an amendment to the above-identified application.

Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.

a verified statement to establish small entity status under 37 C.F.R. § 1.9 and § 1.27 is enclosed.

No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE		FEE	
							SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTIT
Total Claims	9	-	* 20	-	*** 0	x	\$9.00	\$18.00	- 0	
Independent Claims	1	-	** 3	-	*** 0	x	\$43.00	\$86.00	- 0	
Multiple Dependent Claims(s) Presented Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>							\$145.00	\$290.00	- 0	
For First Time:							TOTAL ADDITIONAL FEE \$ 0			

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

***If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

Amendment Transmittal Letter
Page 2

The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

_____ Please charge Deposit Account No. _____
in the amount of \$ _____.

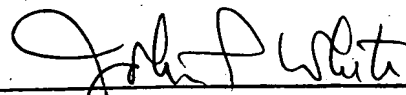
X A check in the amount of \$ 950.00 is enclosed.
(Fee for a three month extension of time.)

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

X Any filing fees under 37 C.F.R. \$1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. \$1.17.

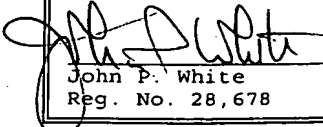
Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



John P. White
Reg. No. 28,678

5/18/04
Date